

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 15, 2003

DIVISION TWO

Court convened at 9:00 AM

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Jim Guzman, Deputy Clerk.

Each of the following:

B156742 People v. Velasquez and Villalobos
B157881 People v. Forde
B158309 People v. Paredes
B160723 People v. Small
B161830 County of Los Angeles v. Granite State Insurance
B159680 People v. Pressey
B159369 People v. Curiel
B160865 In Re: Jeanette S. DCFS v. Norma G.
B159075 People v. Crookes
B157451 People v. Brown
B165894 Meliba B. v. SCLA & DCFS
B165601 Kim T. v. SCLA & DCFS

Argument waived, cause submitted.

B158045 People
 v.
 Webb

Merits:

Argued by Michael Shannon for appellant and by Beverly Falk for respondent. Cause submitted.

DIVISION TWO (Continued)

B156770 Royds
 v.
 City of Redondo Beach, et al.

Merits:
Argued by Ken Yuwiler for appellant and by Wayne Clayton for
respondents. Cause submitted.

B156683 Brown
 v.
 Department of Corrections et al.

Merits:
Argued by Martin Milas for appellants and by Norman Pine for respondent.
Cause submitted.

B159629 Potts
 v.
 Childnet Youth and Family Services

Merits:
Argued by Jeany Lee for appellant and by Daniel Sorenson for respondent.
Cause submitted.

Court in recess

Court reconvened at 12:45 PM

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Jim Guzman, Deputy
Clerk.

B159777 Coalition for Affordable Housing et al.
 v.
 Board of Education et al.

Merits:
Argued by Clare Bronowski for appellants and by Pamela Schmidt for
respondents. Cause submitted.

DIVISION TWO (Continued)

B161297 Bank of America
 v.
 Jaidar

Merits:
Argued by Fred Cassity for appellant and by Charles Schufreider for respondent. Cause submitted.

B148380 People
 v.
 Bermudez and Castro

Merits:
Argued by Manuel Araujo for appellant Bermudez, no appearance for appellant Castro and by Ana Duarte for respondent. Cause submitted.

B155544 Westoil Terminals Co. Inc. et al.
 v.
 Industrial Indemnity Company

Merits:
Argued by Susan Field for appellant and by Peter C.Sheridan for appellants. Cause submitted.

Court adjourned.

DIVISION THREE

B156631 Vladimir Agapitov, et al. (Certified for Partial Publication)
 v.
 Alexander Lerner

The judgment is affirmed. Costs on appeal are awarded to plaintiffs Vladimir Agapitov and Lidia Agapitov.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION THREE (Continued)

B155262 People v. Jackson (Not for Publication)
B161907 In Re Kevin Jackson on HabeasCorpus

The judgment is reversed. The case is remanded to the superior court with directions to conduct further proceedings on Jackson's discovery motion, including an in camera examination of Detective Hunt's personnel records to determine whether Jackson suffered prejudice as a result of the denial of the pre-trial Pitchess motion. If the trial court finds discoverable information which would lead to admissible evidence helpful to Jackson, the trial court must grant the requested discovery and order a new trial. (People v. Gill, supra, 60 Cal.App.4th at p. 751.) Upon any reinstatement of the judgment, the trial court shall award Jackson presentence custody credit attributable to the time served prior to the initial sentencing hearing 337 days consisting of 225 days of actual custody plus 112 days of conduct credits. The order to show cause is recalled and quashed. The petition for writ of habeas corpus is denied.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B156874 People (Not for Publication)
 v.
 Ellington

The judgment is affirmed, except that appellant's conviction for first degree residential burglary on count eight is reversed, appellant's sentence is vacated, and the matter is remanded for resentencing consistent with this opinion. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment which reflects appellant's resentence following remand.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B156570 Judith Phillips, et al. (Not for Publication)
 v.
 Crofton Manor Inn et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B162196 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Manuel H.,

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

B161706 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Shan S.,
 Marisa R.,

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
 Aldrich, J.

B156360 Rooftop Management & Consulting (Not for Publication)
 v.
 Washington Mutual Bank, FA, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

May 15, 2003 (Continued)

DIVISION THREE (Continued)

B160204 People v. Albert Chapman
B164551 In Re Albert Chapman on Habeas Corpus

Filed order modifying opinion. (No change in the judgment)

DIVISION SIX

Court convened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B153142 People v. Avalos
B154174 People v. Arnold
B154641 People v. Lee, et al.
B157098 People v. Villalobos
B157151 People v. Green
B157748 People v. Bess
B157768 People v. Johnson
B157843 People v. Fire
B158173 People v. Stephen W.
B158237 People v. Malo
B158902 People v. De La Torre
B159419 People v. Crystal H.
B159904 People v. Melvin
B160112 People v. Johnson
B160371 People v. Hulland
B160427 People v. Leoncio
B160481 People v. Daniels
B160815 People v. Gilbert B.
B160856 People v. Holden
B161735 People v. Villarreal

Argument waived, cause submitted.

B156035 People v. Ludaescher

Argument continued to June 2003 calendar.

DIVISION SIX (Continued)

B161483 People v. Ickes

Argument continued to September 2003 calendar.

B159400 People
 v.
 Swanigan

Merits:

Argued by Meghan B. Clark for appellant and by Carl N. Henry, Deputy Attorney General, for respondent via video conference. Cause submitted.

B160197 People
 v.
 Karapetian

Merits:

Argued by Jilbert Tahmazian for appellant and by Paul M. Roadarmel, Deputy Attorney General, for respondent via video conference. Cause submitted.

Gilbert, P.J. left the bench.

B158328 People
 v.
 Sierra

Merits:

Argued by Jonathan P. Milberg for appellant and by Richard S. Moskowitz, Deputy Attorney General, for respondent via video conference. Cause submitted.

May 15, 2003 (Continued)

DIVISION SIX (Continued)

B158299 People
 v.
 Cervantes

Merits:
Argued by Thomas T. Ono for appellant and by David A. Wildman, Deputy Attorney General, for respondent via video conference. Cause submitted.

B160707 People
 v.
 Ferrel

Merits:
Argued by William Duncan for appellant and argument previously waived by respondent. Cause submitted.

Court adjourned at 2:25 P.M.

B161103 Brown
 v.
 Campos

Filed order modifying opinion and certifying opinion for publication. (No change in the judgment)

DIVISION SEVEN

B157010 Mohag Construction et al., (Not for Publication)
 v.
 Developers Insurance Co. et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Perluss, P.J.
 Munoz, J. (Assigned)

May 15, 2003 (Continued)

DIVISION SEVEN (Continued)

B158877 People (Not for Publication)
v.
Luu

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Johnson, J.

B154267 People (Not for Publication)
v.
Arana, et al.

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Munoz, J. (Assigned)

B162048 Los Angeles County, D.C.S. (Not for Publication)
v.
Antaneia T.
Demetrius S., a minor

The order is reversed and the matter is remanded to the juvenile court with directions to conduct an evidentiary hearing.

Munoz, J. (Assigned)

We concur: Perluss, P.J.
Johnson, J.

May 15, 2003 (Continued)

DIVISION SEVEN (Continued)

B159464 People (Not for Publication)
v.
Serrano

The judgment is affirmed.

Munoz, J. (Assigned)

We concur: Perluss, P.J.
 Woods, J.

B161692 In re Gaul on Habeas Corpus (Not for Publication)

The judgment of the superior court is reversed and the requested writ of habeas corpus is denied.

Munoz, J. (Assigned)

We concur: Perluss, P.J.
Johnson, J.

B155838 Mir
v.
Blue

Filed order denying petition for rehearing.

DIVISION EIGHT

B160742 Nguyen, et al. (Not for Publication)
v.
Farmers Insurance Exchange

For the reasons set forth above, the judgment is affirmed. Respondent Farmers to recover its costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

May 15, 2003 (Continued)

DIVISION EIGHT (Continued)

B158604 People
 v.
 Berreondo

Filed order vacating submission order of April 30, 2003. The court requests supplemental briefing.